

REMARKS

Applicant confirms the previous election of claims 7-11 but traverses the requirement for restriction.

The examiner has asserted that the two identified groups of claims are not so linked as to form a single general inventive concept under PCT Rule 13.1 but the examiner's reasoning and conclusions are based on restriction practice, not unity of invention practice. This is a national stage application submitted under 35 USC 371 and accordingly restriction practice applicable to national applications filed under 35 USC 111(a) does not apply.

Under MPEP 1850 and PCT Rule 13.1, unity of invention exists when there is a technical relationship among the claimed inventions involving one or more of the same or corresponding special technical features, i.e. features that define a contribution which each of the claimed inventions makes over the prior art. Claims 10 and 11 and claim 12 include as special technical features the combination of features set forth in claim 7.

Under PCT AI 206, determination of unity of invention is made in accordance with Annex B to the Administrative Instructions, and under Annex B, unity of invention has to be considered in the first place only in relation to the independent claims. Since this application, at the time of issue of the Office Action, contained only one independent claim, no unity of invention issue arose. Moreover, unity of invention is not a substantive requirement for patentability and under PCT Article 27(1), the examiner may not rely on restriction practice under 37 CFR 1.142 in support of a requirement for unity of invention.

Even if the practice regarding requirements for restriction were applicable to a national stage application, they would not be applicable here because, contrary to the examiner's assertion, claims 10 and 11 and claim 12 are related. Under MPEP 802.01 I, "The term 'independent'...means that there is no disclosed relationship between the two or more inventions claimed, that is,

they are unconnected in design, operation, and effect." Claims 10 and 11 and claim 12 are connected in design, operation and effect by virtue of the features that they have in common, namely all the features of claim 7.

Applicant acknowledges that FIGS. 1-6 show a first embodiment of the invention, as broadly claimed in claim 7, and FIGS. 7-10 show a second embodiment of the invention. If the examiner had made a requirement for election of species, applicant would have elected FIGS. 1-6 and stated that claims 7-11 are readable on the elected species.

The specification has been amended to remove the objection raised by the examiner in point 5 on page 3 of the Office Action.

Claims 7-12 stand rejected under 35 USC 112, first paragraph and/or 35 USC 112, second paragraph. Claims 7-12 have been canceled and replaced with new claims 13-21. It is believed that the new claims 13-21 comply with the requirements of 35 USC 112. Applicant notes that claim 13 states that the selecting member can be installed in the lock on one of the first and second sides of the lock. Lest the examiner be inclined to take the position that the wording "can be installed" is indefinite, applicant submits that this wording is in fact definite. Although applicant does not state that the selecting member "is installed" on one of the first and second sides of the lock, the wording "can be installed" leaves no doubt that claim 13 requires that the selecting member be suitable for installation on either of the first and second sides of the lock. A selecting member that is not suitable for installation as stated cannot be installed and therefore does not meet the limitations of the claim with respect to the selecting member. Thus, this is not a matter of specifying, for example, a selecting member, such as a screw, where it is not clear whether the claim requires a screw or would be satisfied by a dowel pin.

Claims 7-11 stand rejected under 35 USC 103 over Errani in view of Raatikainen.

The present invention, as defined in claim 13, is concerned with a door lock comprising a bolt (designated 3 in the embodiment shown in FIGS. 1-6) and a follower (designated 5) for moving the bolt. The follower has first and second opposite ends presented towards first and second opposite sides respectively of the lock and is formed with a threaded opening (designated 12) that is accessible from each end of the follower. First and second torsion units (6a and 6b) are at the first and second sides respectively of the lock and are mounted on the first and second ends respectively of the follower. First and second movable coupling members (10a and 10b), at the first and second sides respectively of the lock, are selectively controllable to couple force transmission from the first and second torsion units respectively to the follower. A selecting member (7) can be installed in the lock either on the first side of the lock or on the second side of the lock, by engaging the threaded opening of the follower from the first or second end of the follower. When the selecting member is installed on the first side of the lock, the selecting member retains the first torsion unit against turning relative to the follower and permits the second torsion unit to turn relative to the follower. Conversely, when the selecting member is installed on the second side of the lock, the selecting member retains the second torsion unit against turning relative to the follower and permits the first torsion unit to turn relative to the follower. The coupling member at the other of the first and second sides of the lock (i.e. the side other than that at which the selecting member is installed), is selectively controllable to couple force transmission to the follower from the torsion unit that is not selected whereby force transmission from the torsion unit at said other side of the lock to the follower is selectively connected. If, for example, the selecting member 7 is installed from the side of the torsion unit 6a as shown in FIG. 4, and the handle turns the torsion unit 6a, the follower 5 turns with the torsion unit, whereas if the handle at the opposite side of the lock turns the torsion unit 6b,

whether the follower also turns depends on the state of the coupling member 10b.

Errani discloses a door lock that comprises a bolt 33, a lever 34 for moving the bolt responsive to turning of a ring 16 provided with a tooth 20, and rings 3 and 4 at opposite respective sides of ring 15, 16 for turning the rings 15, 16 depending on whether a screw 22 is installed in the ring 3 or in the ring 4.

The ring 15 has a tab 24 to which a pawl is articulated by means of a pivot 25. The pawl 26 includes a tooth 31 that is biased away from the teeth 6, 8 of the rings 3, 4 as shown in solid lines in FIG. 2, but by action of a key operated cylinder 36 the pawl 22 can be turned inward and the tooth 31 then engages the teeth 6, 8 as shown in dashed lines.

If the lock disclosed by Errani is installed so that the ring 3 is on the inside of the door, the screw 22 is threaded into the hole 11 in the ring 3 and projects into slots 17, 18 of the rings 15, 16 and holds the rings 15, 16 against rotation relative to the ring 3 while leaving the ring 4 free to rotate. Then the bolt 33 can be controlled by turning the handle on the inside of the door and engaging the ring 3. If the pawl 26 is out of engagement with the teeth 6, 8, turning the ring 4 using an outer handle has no effect on the lock. If, however, the cylinder lock 36 is operated to pivot the pawl 26 inward, the tooth 31 engages the teeth 6, 8 of each ring 3, 4 so that rotation of the outer ring 4 is transmitted to the rings 15, 16.

The examiner relies on Raatikainen as disclosing "a door lock having selectable torsion units with coupling members, where the torsion unit not connected with the handle is rotated by a solenoid arrangement."

The subject matter defined in claim 13 differs from the prior art in at least two respects. First, whereas claim 13 requires that the opening formed in the follower be threaded, so that the selecting member is installed by engaging the threaded opening of the follower from the first or second end of the

follower, in Errani the slots 17, 18 are merely radial extensions of the central openings in the rings 15, 16 and are not threaded. Consequently, the screw 22 is not in threaded engagement with the ring 15 or 16. This distinction is important because if the screw 22 of Errani were broken, the unthreaded inner end of the screw would likely be displaced at least partly into the hole 12 in the ring 4, thus retaining the ring 4 against rotation relative to the rings 15, 16 so that the outer handle could be used to open the lock regardless of the state of the cylinder lock 36.

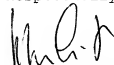
Secondly, Raatikainen discloses a single solenoid 7 which moves a shaft 9 against the force of a spring 8 for turning a lever member 10 about a spindle 11 for selecting whether the coupling member 6 is in a force transmission coupling position or a force transmission decoupling position. The member 6 has two protrusions 6a, 6b for engaging counter surfaces 13b, 14b of respective torsion units 13, 14. In a second embodiment, Raatikainen discloses a coupling member 6' having a protrusion 6'a for engaging either the counter surface 13b or the counter surface 14b. To the extent that Raatikainen discloses first and second coupling members (e.g. the two protrusions 6a, 6b shown in FIG. 2 of Raatikainen), the coupling members are not selectively controllable. In the case of FIG. 4 of Raatikainen, there is only one coupling member 6'. Applicant submits that the prior art does not disclose or suggest first and second coupling members which are selectively controllable to couple force transmission from the first and second torsion units respectively to the follower.

In view of the foregoing, applicant submits that the prior art references cited by the examiner, whether taken singly or in combination, do not disclose or suggest the subject matter of claim 13. Therefore, claim 13 is patentable and it follows that the dependent claims also are patentable.

The new claim 22 is similar to claim 13 except that claim 22 positively requires that the selecting member be installed in the

lock on the first side of the lock and be removable from the first side of the lock so that it can be installed on the second side of the lock. Thus, whereas claim 13 is not restricted to the selecting member being installed, claim 22 requires that the selecting member be installed. Applicant believes that the arguments presented above in support of claim 13 are also applicable to claim 22. Therefore, claim 22 is patentable and it follows that the dependent claims 23-30 also are patentable.

Respectfully submitted,



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